

# Declaration and Power of Attorney

As a below named inv. I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: Simplified conditions and configurations for phase-contrast imaging with  
the specification of which hard x-rays.

(check at least one)

☒ is attached hereto.

☐ was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_

and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date earlier than that of the application on which priority is claimed:

## Prior Foreign Application(s)

## Priority Claimed

5	PN2012	Australia	28 March 1995	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
	(Number)	(Country)	(Day/Month/Year Filed)		
	(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112. I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	Status (patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	Status (patented, pending, abandoned)

I hereby appoint the following as my attorneys of record with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office:

ALL CORRESPONDENCE IN CONNECTION WITH THIS APPLICATION SHOULD BE SENT TO

KENYON & KENYON

1025 Connecticut Ave., N.W., Washington, DC 20036 — Tel.: 202-429-1776

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

\*7 Typewritten Full Name of Sole or First Inventor Stephen William Wilkins  
Given Name Middle Initial Family Name

\*8 Inventor's Signature [Signature]

\*9 Date of Signature September 11 1997  
Month Day Year

10 Residence 9 Halley Street, Blackburn, Victoria 3130, Australia

11 Citizenship Australian State or Province Country

12 Post Office Address (Insert complete mailing address, including country) 9 Halley Street, Blackburn  
Victoria 3130, Australia

\*Note to Inventor: Please sign name on line 8 exactly as it appears in line 7 and insert the actual date of signing on line 9. IF THERE IS MORE THAN ONE INVENTOR USE PAGE 2 AND PLACE AN "X" HERE ☐

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL  
ENTITY STATUS (37 CFR 1.9(f) AND 1.27(c)) - SMALL BUSINESS CONCERN**

Applicant or Patentee: **STEPHEN WILLIAM WILKINS**  
 Application or Patent No. **08/930,049**  
 Filed: **September 26, 1997**  
 Title: **SIMPLIFIED CONDITIONS AND CONFIGURATION FOR PHASE-CONTRAST IMAGING  
WITH HARD X-RAYS**

I hereby declare that I am

- ☐ the owner of the small business concern identified below  
☒ an official of the small business concern empowered to act on  
 behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: **X-RAY TECHNOLOGIES PTY LTD**  
 ADDRESS OF SMALL BUSINESS CONCERN: **11<sup>th</sup> floor, 60 Collins Street, Melbourne, Victoria 3000 AUSTRALIA**

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121 for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☐ the specification filed herewith with the title as listed above.  
☒ the application identified above.  
☐ the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.  
☐ each such person, concern or organization is listed below.

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING: RAYMOND J. WOOD

TITLE OF PERSON IF OTHER THAN OWNER: CHIEF EXECUTIVE OFFICER

ADDRESS OF PERSON SIGNING: 11th floor, 60 Collins Street, Melbourne, Victoria 3000 AUSTRALIA

SIGNATURE: 

DATE: 16<sup>th</sup> August, 1999

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